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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,884	12/03/2001	Ibrahim Cem Duruoz	020699-000510US	7984
37490	7590	03/09/2006	EXAMINER	
Trellis Intellectual Property Law Group, PC 1900 EMBARCADERO ROAD SUITE 109 PALO ALTO, CA 94303			HO, ANDY	
			ART UNIT	PAPER NUMBER
			2194	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/005,884	DURUOZ ET AL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andy Ho	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2005.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-10 and 14-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10 and 14-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some \*    c) ☐ None of:
  - 1. ☐ Certified copies of the priority documents have been received.
  - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to the amendment filed 12/9/2005.
2. Claims 1-2, 4-10 and 14-62 have been examined and are pending in the application.

### ***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/9/2005 has been entered.

### ***Claim Rejections - 35 USC § 112***

4. Claims 2, 4-10, 14-28, 30-60 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The applicant recites "The application programming interface" on line 1 of these claims, which are inappropriate dependents because they depend from audio/video file system of claims 1 and 29. Corrections are required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 9, 14-44 and 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Ludwig U.S Patent No. 6,816,904.

**As to claim 1**, Ludwig teaches an audio/video filing system (Audio/Video server system 100, lines 44-45 column 7) for handling and organizing audio/video data (comprises a repository for A/V file storage and processing resources, lines 9-10 column 12) comprising:

a storage layer (Audio/Video server system 100, lines 44-45 column 7); and  
an application programming interface having a first interface that controls transfer of information for handling audio/video data files and non-audio/video files at said storage layer (...A/V network manager 34 provides an Application Program Interface through which client application programs may request A/V and/or multimedia switching and/or conferencing services..., lines 2-6 column 10); said application programming interface adapted to select a first set of function calls to manipulate said storage layer when an audio/video file (A/V files, line 44 column 22) is detected and to select a second set of function calls to manipulate said storage layer when a non-audio/video file

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(application files, line 52 column 22) is detected (function calls to access the A/V file system, line 4 column 21 to line 31 column 22; lines 46-61 column 19; multiple types of files including audio, video, graphics, text..., lines 44-53 column 22).

**As to claim 9**, Ludwig further teaches transfer of information to and from said audio/video filing system is independent of said storage layer implementation (the separation of the workstations from the AVNM 1810 and the AVSS 1816, Fig. 37).

**As to claim 14**, Ludwig further teaches said audio/video file is smaller than said non-audio/video file (comparing between audio/video files and non-A/V files, lines 32-53 column 22).

**As to claim 15**, Ludwig further teaches second set of function calls enable said audio/video file system to play or record a plurality of audio/video data files concurrently (A/V file recording and playback, lines 37-47 column 21).

**As to claim 16**, Ludwig further teaches using a channel ID parameter and an object ID parameter (administrative parameters, lines 29-61 column 16).

**As to claims 17-18**, they are application programming interface claims of claims 15-16, respectively. Therefore, they are rejected for the same reasons as claims 15-16 above.

**As to claims 19-20**, they are application programming interface claims of claims 15-16, respectively. Therefore, they are rejected for the same reasons as claims 15-16 above.

**As to claim 21**, Ludwig further teaches optimize disk access (function calls to access the A/V file system, line 4 column 21 to line 31 column 22; lines 46-61 column 19).

**As to claim 22**, it is an application programming interface claim of claims 1 and 21. Therefore, it is rejected for the same reasons as claims 1 and 21 above.

**As to claim 23**, Ludwig as modified further teaches first type of file is a non-audio/video file (application files, line 52 column 22); and second type of file is an audio/video file (A/V files, line 44 column 22).

**As to claim 24**, it is an application programming interface claim of claim 15. Therefore, it is rejected for the same reasons as claim 15 above.

**As to claim 25**, Ludwig further teaches forward operations (fast forward, line 24 column 22; skip forward, line 41 column 24; fast forward, rewind, or similar operations, lines 32-33 column 45).

**As to claim 26**, Ludwig further teaches a fast-forward operation (fast forward, line 24 column 22), a slow-forward operation (fast forward, rewind, or similar operations, lines 32-33 column 45), and a step-forward operation (skip forward, line 41 column 24).

**As to claim 27**, Ludwig further teaches reverse operations (rewind, line 24 column 22; rewind to beginning, line 35-36 column 24; skip back, line 36 column 24; fast forward, rewind, or similar operations, lines 32-33 column 45).

**As to claim 28**, Ludwig further teaches a fast-reverse operation (rewind, line 24 column 22), a slow-reverse operation (fast forward, rewind, or similar operations, lines 32-33 column 45), and a step-reverse operation (skip back, line 36 column 24).

**As to claim 29**, Ludwig teaches an audio/video file system (Audio/Video server system 100, lines 44-45 column 7) capable of handling and organizing audio/video data (comprises a repository for A/V file storage and processing resources, lines 9-10 column 12), comprising:

an application programming interface (... A/V network manager 34 provides an Application Program Interface through which client application programs may request A/V and/or multimedia switching and/or conferencing services..., lines 2-6 column 10) adapted to interface with a plurality of controllers (user workstations 40, Figs. 3; Fig. 37; ... each workstation includes video and audio reproduction capabilities, as well as video and audio capture capabilities..., lines 17-19 column 3) and to select a first set of function calls to manipulate said audio/video filing system when a first file type is detected and to select a second set of function calls to manipulate said audio/video filing system when a second file type is detected (function calls to access the A/V file system, line 4 column 21 to line 31 column 22; lines 46-61 column 19; multiple types of files including audio, video, graphics, text..., lines 44-53 column 22); said a first plurality of function calls (function calls to access the A/V file system, line 4 column 21 to line 31 column 22; lines 46-61 column 19) including:

a load function call designed to cause retrieval of descriptor information (retrieving files, line 39 column 19) from a storage medium (a repository for A/V file storage, lines 9-10 column 12);

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a store function call designed to cause storing of said descriptor information (file administration operations such storage of A/V and multimedia files, lines 40-42 column 7) onto said storage medium (a repository for A/V file storage, lines 9-10 column 12);

a delete function call designed to cause deletion of said descriptor information (file administration operations such deletion of A/V and multimedia files, lines 40-42 column 7) from said storage medium (a repository for A/V file storage, lines 9-10 column 12); and

a second plurality of function calls including (function calls to access the A/V file system, line 4 column 21 to line 31 column 22; lines 46-61 column 19):

a play function call designed to cause a specified file to be played (A/V file recording and playback, lines 37-47 column 21);

a record function call designed to cause specified data to be recorded (A/V file recording and playback, lines 37-47 column 21); and

a stop function call designed to cause a play or record operation to be stopped (stop operation on the file, line 23 column 22).

**As to claim 30**, Ludwig further teaches said first and second plurality of function calls is designed to handle a first and second type of files (multiple types of files, lines 44-53 column 22).

**As to claim 31**, Ludwig further teaches first type of file is a non-audio/video file (application files, line 52 column 22); and second type of file is an audio/video file (A/V files, line 44 column 22).



**As to claim 32**, Ludwig further teaches said first plurality of function calls further includes: a validity function call designed to verify validity of a specified descriptor (...AVSC validation operations, through which the AVSM 160 queries each AVSC 120 to determine the number, type, and capabilities of the AVSC's storage, encoding, decoding, and transcoding resources..., lines 40-43 column 36); and

said second plurality of function calls further includes: a pause function call designed to cause a play or record operation to be paused (pause operation on the file, line 24 column 22); a resume function call designed to cause a previously paused operation to resume (resume operation on the file, line 15 column 40); and an address retrieval function call designed to determine a logical block address of said specified file during a play or a record operation (operation to obtain AV file's storage location or address, lines 63-67 column 31).

**As to claim 33**, Ludwig further teaches a plurality of function calls designed to cause forward operations to be performed (fast forward, line 24 column 22; skip forward, line 41 column 24; fast forward, rewind, or similar operations, lines 32-33 column 45); and a plurality of function calls designed to cause reverse operations to be performed (rewind, line 24 column 22; rewind to beginning, line 35-36 column 24; skip back, line 36 column 24; fast forward, rewind, or similar operations, lines 32-33 column 45).

**As to claim 34**, Ludwig further teaches a fast-forward (fast forward, line 24 column 22), a slow-forward (fast forward, rewind, or similar operations, lines 32-33 column 45), and a step-forward (skip forward, line 41 column 24).

**As to claim 35**, Ludwig further teaches a fast-reverse (rewind, line 24 column 22), a slow-reverse (fast forward, rewind, or similar operations, lines 32-33 column 45), and a step-reverse (skip back, line 36 column 24).

**As to claims 36-39**, they are application programming interface claims of claims 1, 29, 2 and 6, respectively. Therefore, they are rejected for the same reasons as claims 1, 29, 2 and 6 above.

**As to claims 40-43**, Ludwig further teaches (lines 39-46 column 36) the specified descriptor is an object descriptor, a content list, a performance list, a HMS table.

**As to claim 44**, Ludwig further teaches said first and second plurality of function calls is capable of passing a plurality of parameters (administrative parameters, lines 29-61 column 16).

**As to claim 61**, it is a method claim of claims 1-2. Therefore, it is rejected for the same reasons as claims 1-2 above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 45-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig.

**As to claims 45-60**, Ludwig as disclosed in claims 29 and 32-35 above teaches the system performs function calls. Ludwig does not explicitly teach specific parameters being passed by a specific function call. However, Ludwig teaches the function calls are being implemented by passing parameters (lines 29-61 column 16; lines 16-61 column 19; lines 30-46 column 37). Therefore one of ordinary skill in the art would conclude the function calls of Ludwig are capable of passing specific parameters because this allows the system to perform the function calls such as load, store, delete, play...as disclosed by Ludwig.

7. Claims 2, 4-8, 10 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig in view of Blumel U.S Patent No. 6,859,610.

**As to claim 2**, Ludwig further teaches a second interface which controls transfer of information (...through which client application programs may request A/V and/or multimedia switching and/or conferencing services..., lines 4-6 column 10) between a controller (one of the user workstations 40, Figs. 3; Fig. 37) capable of handling data (...each workstation includes video and audio reproduction capabilities, as well as video and audio capture capabilities..., lines 17-19 column 3).

Ludwig as disclosed above teaches the device can handle audio/video data. However, Ludwig does not explicitly teach the data is asynchronous. Blumel teaches a system in which an audio/video device could transfer isochronous and asynchronous

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data based on the standard of IEEE-1394 protocol (lines 1-10 column 4). It would have been obvious to apply the teachings of Blumel to the system of Ludwig because an audio/video device that could handle isochronous and asynchronous data is well known in the art as disclosed by Blumel (lines 1-10 column 4). The system of Ludwig as modified by Blumel would include the audio/video workstations are being able to handle isochronous and asynchronous data.

**As to claim 4**, Blumel further teaches the device is capable of processing commands transmitted using protocol 61883 (IEC61883, line 5 column 4). Note the discussion of claim 2 above for the reason of combining references.

**As to claim 5**, it is an application programming interface claim of claims 1 and 4. Therefore, it is rejected for the same reasons as claims 1 and 4 above.

**As to claim 6**, Ludwig as modified further teaches the controller is a SBP-2 controller (receiving commands via serial ports, lines 29-30 column 9).

**As to claim 7**, Ludwig as modified further teaches the SBP-2 controller is capable of processing commands transmitted using serial-bus-protocol-2 (receiving commands via serial ports, lines 29-30 column 9).

**As to claim 8**, it is an application programming interface claim of claims 2 and 7. Therefore, it is rejected for the same reasons as claims 2 and 7 above.

**As to claim 10**, Ludwig as modified further teaches the control of transfer of information to and from said controller is independent of internal implementation of said controller (the separation of the workstations from the AVNM 1810 and the AVSS 1816, Fig. 37).

**As to claim 62**, it is a method claim of claims 9-10. Therefore, it is rejected for the same reasons as claims 9-10 above.

### ***Response to Arguments***

8. Applicant's arguments filed 12/9/2005 have been fully considered but they are not persuasive.

Applicant argued that Ludwig reference does not teach an API between a controller and the storage layer (Remarks, sixth paragraph page 15). In response, the applicant argued a new limitation that was not claimed before. However, this new limitation is still met by the cited references as disclosed in the claim rejections above. Ludwig clearly teaches an application programming interface (...A/V network manager 34 provides an Application Program Interface through which client application programs may request A/V and/or multimedia switching and/or conferencing services..., lines 2-6 column 10) adapted to interface with a plurality of controllers (user workstations 40, Figs. 3; Fig. 37; ...each workstation includes video and audio reproduction capabilities, as well as video and audio capture capabilities..., lines 17-19 column 3) and the storage layer (Audio/Video server system 100, lines 44-45 column 7). The reference meets the limitation as claimed.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

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Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.

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- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

A.H  
March 6, 2006

A handwritten signature in black ink, appearing to read "Andylo", with a long, sweeping horizontal line extending to the right.